

Serial Number: 10/587,201
Attorney Docket: SACH3001/ESS

LISTING AND AMENDMENT OF THE CLAIMS:

1. (Currently amended) A soft gelatin capsule comprising Type A gelatin, said capsule containing a pharmaceutical formulation comprising at least one omega-3 polyunsaturated fatty acid in free acid form,
wherein the soft gelatin capsule comprising Type A gelatin exhibits a longer shelf life as compared to a soft gelatin capsule comprising Type B gelatin, and wherein said soft gelatin capsule comprising Type B gelatin contains a pharmaceutical formulation comprising at least one omega-3 polyunsaturated fatty acid in free acid form characterised in that the capsule comprises Type A gelatin.
2. (Currently amended) The [[A]] soft gelatin capsule as claimed in Claim 1 wherein formulation comprises 5, 8, 11, 14, 17-eicosapentaenoic acid (or "EPA").
3. (Currently amended) The [[A]] soft gelatin capsule as claimed in Claim 2 wherein EPA is present in an amount of at least about 50 wt % of the formulation.
4. (Currently amended) The [[A]] soft gelatin capsule as claimed in Claim 2 wherein EPA is present in an amount of between from about 50 wt % to about 60 wt % of the formulation.

5. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 2 wherein EPA is present in an amount of at least about 90 wt % of the
formulation.

6. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the formulation comprises 4, 7, 10, 13, 16, 19-docosahexaenoic acid
(or "DHA").

7. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 6 wherein DHA is present in an amount of between about 20 wt % to about
30 wt % of the formulation.

8. (Currently amended) The [[A]] soft gelatin capsule as claimed in
any one of Claim 1 comprising between from about 100mg to about 2000mg of said
formulation.

9. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 8 comprising about 500mg of said formulation.

10. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 8 comprising about 1000mg of said formulation.

11-12. (Cancelled)

13. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the gelatin comprises porcine gelatin.

14. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the gelatin comprises bovine gelatin.

15. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim Claims 1 wherein the gelatin comprises fish gelatin.

16. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the wall of the capsule consists of a single layer.

17. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the capsule delays release of the formulation until after passage
through the stomach.

18. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 1 wherein the capsule delays release of the formulation until after passage
beyond the pancreatic duct in the duodenum.

19. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 17 wherein the capsule is coated with at least one enteric material.

20. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 19 wherein at least one enteric material is integrated within the gelatin of the
capsule.

21. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 19 wherein the or at least one enteric material is a neutral polyacrylate polymer.

22. (Currently amended) The [[A]] soft gelatin capsule as claimed in
Claim 20 wherein the or at least one enteric material is poly(ethylacrylate-
methylmethacrylate).

23-34. (Cancelled)

35. (New) The soft gelatin capsule according to claim 1, wherein the shelf
life is determined by storing the soft gelatin capsule comprising Type A gelatin and the
soft gelatin capsules comprising Type B gelatin for 3 months at a temperature of 40⁰C;
disintegrating each of the capsules in water at 37⁰C; and calculating disintegration
times of each capsule to determine the shelf life of each capsule.

36. (New) A soft gelatin capsule consisting essentially of Type A gelatin containing a pharmaceutical formulation comprising at least one omega-3 polyunsaturated fatty acid in free acid form, and

wherein the soft gelatin capsule exhibits a longer shelf life as compared to a soft gelatin capsule consisting essentially of Type B gelatin containing a pharmaceutical formulation comprising at least one omega-3 polyunsaturated fatty acid in free acid form, and

wherein the shelf life is determined by storing the soft gelatin capsule consisting essentially of Type A gelatin and the soft gelatin capsules consisting essentially of Type B gelatin for 3 months at a temperature of 40⁰C; disintegrating each of the capsules in water at 37⁰C; and calculating disintegration times of each capsule to determine the shelf life of each capsule.

37. (New) A soft gelatin capsule, comprising:

at least one omega-3 polyunsaturated fatty acid in free acid form;

and

gelatin consisting essentially of Type A gelatin.